

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62708 of 2021**

Arising Out of PS. Case No.-424 Year-2021 Thana- BANKA District- Banka

KUNDAN KUMAR S/o Opi Rai @ Upendra Ray R/o village- Nemua, P.S.-
Barahat, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 12-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 366A of the Indian Penal Code.

As per the prosecution case, the minor daughter of the informant was kidnapped by the petitioner for the purpose of marriage.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. wherein she has categorically stated that she went with the petitioner out of her own free will and was not maltreated. It is further submitted that the petitioner is in custody since 29.5.2021, he is twenty two



year old young boy and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner together with the age of the daughter of the informant having been determined to be between 14-16 years, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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